



2634

PATENT
Customer No. 22,852
Attorney Docket No.09812.0540-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Atsushi INOMATA et al.) Group Art Unit: 2634
Application No.: 09/869,897) Examiner: Kim, Kevin
Filed: October 15, 2001) Confirmation Number: 1251
For: ERROR RATE ESTIMATING)
DEVICE METHOD, AND)
INFORMATION RECORDING)
MEDIUM (As Amended))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

Copies of the listed foreign and non-patent literature documents are attached.

Copies of the U.S. patent publications are not enclosed.

A copy of an English translation of an International Preliminary Examination Report is also attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 21, 2005

By: 
Michael R. Kelly
Reg. No. 33,921

IDS Form PTO/SB/08: Substitute for form 1449A/PTO				Complete if Known	
				<i>Application Number</i>	09/869,897
				<i>Filing Date</i>	October 15, 2001
				<i>First Named Inventor</i>	Atsushi INOMATA et al.
				<i>Art Unit</i>	2638
				<i>Examiner Name</i>	Kim, Kevin
(Use as many sheets as necessary)				Attorney Docket Number	
Sheet		1	of	1	09812.0540-00

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		JP 03-254256	11-13-1991	Takashi et al.		Abstract
		JP 08-288967	11-01-1996	Shigeru et al.		Abstract
		JP 02-113753	04-25-1990	Satoshi et al.		Abstract

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.